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NOTICE OF ALLOWANCE AND FEE(S) DUE

28977 7590 08/19/2003
MORGAN, LEWIS & BOCKIUS LLP
1701 MARKET STREET
PHILADELPHIA, PA 19103-2921

EXAMINER

COLON, CATHERINE M

ART UNIT

CLASS-SUBCLASS

3623

705-009000

DATE MAILED: 08/19/2003

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/419,266	10/15/1999	ROLAND R. THOMPSON	98-40287-US-	9982

TITLE OF INVENTION: SYSTEM AND METHOD FOR PERFORMING SUBSTITUTE FULFILLMENT INFORMATION COMPILATION AND NOTIFICATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$650	\$0	\$650	11/19/2003

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)
28977 7590 08/19/2003

MORGAN, LEWIS & BOCKIUS LLP
1701 MARKET STREET
PHILADELPHIA, PA 19103-2921

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Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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nonprovisional	YES	\$650	\$0	\$650	11/19/2003

EXAMINER	ART UNIT	CLASS-SUBCLASS
COLON, CATHERINE M	3623	705-009000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1	_____
2	_____
3	_____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee
- ☐ Publication Fee
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.**

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MORGAN, LEWIS & BOCKIUS LLP 1701 MARKET STREET PHILADELPHIA, PA 19103-2921			COLON, CATHERINE M	
			ART UNIT	PAPER NUMBER
			3623	
DATE MAILED: 08/19/2003				

Determination of Patent Term Extension under 35 U.S.C. 154 (b) (application filed after June 7, 1995 but prior to May 29, 2000)

The Patent Term Extension is 0 day(s). Any patent to issue from the above-identified application will include an indication of the 0 day extension on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Extension is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.



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MORGAN, LEWIS & BOCKIUS LLP 1701 MARKET STREET PHILADELPHIA, PA 19103-2921			COLON, CATHERINE M	
			ART UNIT	PAPER NUMBER

3623

DATE MAILED: 08/19/2003

Notice of Fee Increase on October 1, 2003

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after October 1, 2003, then the amount due will be higher than that set forth in the "Notice of Allowance and Fee(s) Due" since there will be an increase in fees effective on October 1, 2003. See Revision of Patent Fees for Fiscal Year 2004; Final Rule, 68 Fed. Reg. 41532, 41533, 41534 (July 14, 2003).

The current fee schedule is accessible from (<http://www.uspto.gov/main/howtofees.htm>).

If the fee paid is the amount shown on the "Notice of Allowance and Fee(s) Due" but not the correct amount in view of the fee increase, a "Notice of Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processing delays associated with mailing of a "Notice of Pay Balance of Issue Fee," if the response to the Notice of Allowance is to be filed on or after October 1, 2003 (or mailed with a certificate of mailing on or after October 1, 2003), the issue fee paid should be the fee that is required at the time the fee is paid. If the issue fee was previously paid, and the response to the "Notice of Allowance and Fee(s) Due" includes a request to apply a previously-paid issue fee to the issue fee now due, then the difference between the issue fee amount at the time the response is filed and the previously-paid issue fee should be paid. See Manual of Patent Examining Procedure, Section 1308.01 (Eighth Edition, August 2001).

Effective October 1, 2003, 37 CFR 1.18 is amended by revising paragraphs (a) through (c) to read as set forth below.

Section 1.18 Patent post allowance (including issue) fees.

(a) Issue fee for issuing each original or reissue patent, except a design or plant patent:

By a small entity (Sec. 1.27(a))..... \$665.00
By other than a small entity..... \$1,330.00

(b) Issue fee for issuing a design patent:

By a small entity (Sec. 1.27(a))..... \$240.00
By other than a small entity..... \$480.00

(c) Issue fee for issuing a plant patent:

By a small entity (Sec. 1.27(a))..... \$320.00
By other than a small entity..... \$640.00

Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

Notice of Allowability

Application No.

09/419,266

Examiner

C. Michelle Colon

Applicant(s)

THOMPSON ET AL.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the After Final Amendment and Request for Reconsideration filed on April 21, 2003.
2. ☒ The allowed claim(s) is/are 1, 5, 15, 17-21, 24, 28-30 and 33.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☒ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. 23.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. <u>25</u> . | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input checked="" type="checkbox"/> Other <i>Petition Decision</i> . |

Susanna Diaz
Susanna Diaz
Primary Examiner
A.U. 3623

ALLOWANCE

1. The following is an Allowance in response to the After Final Amendment and Request for Reconsideration filed on April 21, 2003. Claims 6, 10-14, 16, 22, 23 and 25-27 have been cancelled. Claims 15, 17, 18, 20, 21, 24 and 28 have been amended. Claims 29-32 have been added. Claims 1-5, 7-9, 15, 17-21, 24 and 28-32 are now pending.

Information Disclosure Statement


2. The Examiner has reviewed the publications supplied in the Information Disclosure Statement (IDS) provided on August 8, 2003.

Terminal Disclaimer

3. The terminal disclaimer filed on April 21, 2003 has been reviewed and is accepted. The terminal disclaimer has been recorded. Accordingly, the double patenting rejection is withdrawn.

Examiner's Amendment

4. An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.



Authorization for this examiner's amendment was given in a telephone interview with Thomas Corrado on May 20, 2003 and August 11, 2003. The application has been amended as follows:

In the claims:

1. (Currently Amended) A computer-implemented substitute fulfillment system that identifies and secures substitute workers for a plurality of different organizations, comprising:

a central server that processes information associated with a plurality of different organizations;

a central database coupled to the central server, the central database including records that store substitute fulfillment data associated with each of the plurality of different organizations, wherein for each of the different organizations the fulfillment data includes worker records representing workers that may be absent from the organization and substitute worker records representing substitute workers that may be used to fill a position of an absent worker;

a plurality of local processors that are remote from the central server, each of the local processors being associated with one of the different organizations and having a separate local database coupled thereto, wherein each local database is associated with one of the different organizations and includes worker records representing workers that may be absent from the organization and substitute worker records representing substitute workers that may be used to fill a position of an absent worker;

wherein said organizations comprise one or more of schools, school districts, retail banks, branch offices of banks, convenience stores, manufacturing facilities, fire departments, police departments, hospitals, transportation departments, airlines and temporary worker agencies;

wherein the central database maintains each of the records on each local database in parallel with a corresponding record on the central database by periodically updating the records on the local databases in response to data changes on the central database, and wherein each local database maintains records on the central database in parallel with corresponding records on the local database by periodically updating the records on the central database in response to the data changes on the local database;

at least one telephone communication link coupled to the central server, wherein the telephone communication link provides information representing absent workers to the central server, the central server identifies one or more of the substitute workers in response to the information representing absent workers, and the central server communicates information representing positions to be filled to substitute workers via the telephone communication link or an Internet communication link and secures one or more substitute workers via the telephone communication link or the Internet link; and

wherein the central server periodically transmits reports that include absentee and substitute information to each of the different organizations via the telephone communication link or the Internet communication link.

2. Please cancel.

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3. Please cancel.

4. Please cancel.

24.

(Currently Amended) A computer-implemented substitute fulfillment system that identifies and secures substitute workers for a plurality of different organizations, comprising:

a central server that processes information associated with a plurality of different organizations;

a central database coupled to the central server, the central database including records that store substitute fulfillment data associated with each of the plurality of different organizations, wherein for each of the different organizations the fulfillment data includes worker records representing workers that may be absent from the organization and floating worker records representing substitute workers that may be used to fill a position of an absent worker;

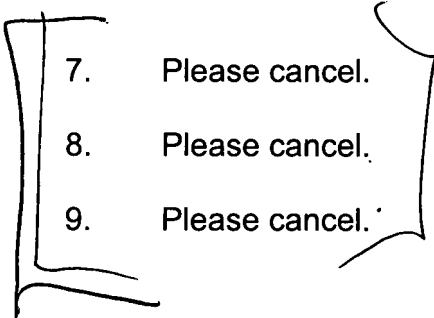
a plurality of local processors that are remote from the central server, each of the local processors being associated with one of the different organizations and having a separate local database coupled thereto, wherein each local database is associated with one of the different organizations and includes worker records representing workers that may be absent from the organization and floating worker records representing floating workers that may be used to fill a position of an absent worker;

wherein the central database maintains each of the records on each local database in parallel with a corresponding record on the central database by periodically

updating the records on the local databases in response to data changes on the central database, and wherein each local database maintains records on the central database in parallel with corresponding records on the local database by periodically updating the records on the central database in response to the data changes on the local database;

at least one telephone communication link coupled to the central server, wherein the telephone communication link provides information representing absent workers to the central server, the central server identifies one or more of the floating workers in response to the information representing absent workers, and the central server communicates information representing positions to be filled to floating workers via the telephone communication link or an Internet communication link and secures one or more substitute workers via the telephone communication link or the Internet link; and

wherein the central server periodically transmits reports that include absentee and substitute information to each of the different organizations via the telephone communication link or the Internet communication link.

- 
7. Please cancel.
 8. Please cancel.
 9. Please cancel.

17 15. (Currently Amended) The substitute fulfillment system of claim 34, ~~33~~ ⁶ wherein the server is further configured to generate a list of substitute workers and absent workers who the substitute workers will be filling in for a given organization and to transmit the

generated list of substitute workers and names of the absent workers who the substitute workers will be filling in for to the given organization via the at least one communication link.

§ 17. (Currently Amended) The substitute fulfillment system of claim 32 ~~33~~ wherein the server is further configured to receive a message via the at least one communication link and to forward the received message to the substitute worker who agrees to fill in for the absent worker via the at least one communication link.

9 18. (Currently Amended) The substitute fulfillment system of claim 34 ~~33~~ wherein each worker record comprises worker identification, contact, position, qualification, and substitute selection information.

11 20. (Currently Amended) The substitute fulfillment system of claim 34 ~~33~~ wherein each substitute worker record comprises substitute identification, contact, qualification, and availability information.

12 21. (Currently Amended) The substitute fulfillment system of claim 34 ~~33~~ wherein the organizations are unaffiliated.

13 24. (Currently Amended) The substitute fulfillment system of claim 34 ~~33~~ wherein the workers are teachers and the substitute workers are substitute teachers.

Q1
Cont 31. Please cancel.

32. Please cancel.

33. (Currently Presented) A substitute fulfillment system that secures one or more substitute workers for a plurality of organizations comprising:

a database comprising worker records, said worker records having information associated with workers for each of the organizations, and substitute records, said substitute records having information associated with at least one substitute worker; and

a server connected to the database, the server configured for:

receiving absentee information representing an absent worker via at least one communication link;

generating and posting a list of one or more positions of one or more absent workers that need to be filled by one or more substitute workers on a website;

receiving a response by a substitute worker selecting a posted position on the website via an Internet communication link; and

securing via the Internet communication link the substitute worker who selected the posted position to fill in for the absent worker.

Reasons for Allowance

5. Claims 1, 5, 15, 17-21, 24, 28-30 and 33 are allowed.
6. The following is an Examiner's statement of reasons for allowance for claims 15, 17-21, 24, 28-30 and 33: None of the prior art of record, taken individually or in any combination, teach, *inter alia*, a substitute fulfillment system that secures one or more substitute workers for a plurality of organizations comprising a database comprising worker records, said worker records having information associated with workers for each of the organizations, and substitute records, said substitute records having information associated with at least one substitute worker; and *a server connected to the database, the server configured for receiving absentee information representing an absent worker via at least one communication link; generating and posting a list of one or more positions of one or more absent workers that need to be filled by one or more substitute workers on a website; receiving a response by a substitute worker selecting a posted position on the website via an Internet communication link; and securing via the Internet communication link the substitute worker who selected the posted position to fill in for the absent worker.* An additional novelty of the invention is the ability for substitute workers to *secure* absent worker positions that have been posted on a website by simply selecting a posted position on the website, thereby eliminating the need for a third party as suggested by most of the prior art. Most of the prior art of record discloses the use of a third party that requires resumes and performs a review process of the worker prior to the worker being able to secure a position.



7. The following is an Examiner's statement of reasons for allowance for claims 1 and 5: None of the prior art of record, taken individually or in any combination, teach a central server that processes information associated with a plurality of different organizations; a central database coupled to the central server, the central database including records that store substitute fulfillment data associated with each of the plurality of different organizations, wherein for each of the different organizations the fulfillment data includes worker records representing workers that may be absent from the organization and substitute worker records representing substitute workers that may be used to fill a position of an absent worker; a plurality of local processors that are remote from the central server, each of the local processors being associated with one of the different organizations and having a separate local database coupled thereto, wherein each local database is associated with one of the different organizations and includes worker records representing workers that may be absent from the organization and substitute worker records representing substitute workers that may be used to fill a position of an absent worker; wherein said organizations comprise one or more of schools, school districts, retail banks, branch offices of banks, convenience stores, manufacturing facilities, fire departments, police departments, hospitals, transportation departments, airlines and temporary worker agencies; wherein the central database maintains each of the records on each local database in parallel with a corresponding record on the central database by periodically updating the records on the local databases in response to data changes on the central database, and wherein each local database maintains records on the central database in parallel with corresponding




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records on the local database by periodically updating the records on the central database in response to the data changes on the local database; at least one telephone communication link coupled to the central server, wherein the telephone communication link provides information representing absent workers to the central server, the central server identifies one or more of the substitute workers in response to the information representing absent workers, *and the central server communicates information representing positions to be filled to substitute workers via the telephone communication link or an Internet communication link and secures one or more substitute workers via the telephone communication link or the Internet link; and wherein the central server periodically transmits reports that include absentee and substitute information to each of the different organizations via the telephone communication link or the Internet communication link.* Additionally, claims 1 and 5 are closely related to the claims of a parent application, now U.S. Patent No. 6,334,133, of which a Terminal Disclaimer was filed for.

The prior art references most closely resembling the Applicant's claimed invention are SubfinderTM and Taylor (U.S. 5,832,497).

SubfinderTM teaches a substitute teacher fulfillment system that enables teachers to call in their absences. The system then automatically generates a list of potential substitute teachers to be called to fill in for the absent teacher. The system further automatically contacts the teachers on the list until the list is exhausted or a teacher accepts a position. However, SubfinderTM only teaches conducting communications



over a telephone and is devoid of any teaching relating to the Internet, and more specifically a website. SubfinderTM does not teach or suggest the ability for substitute workers to secure absent worker positions that have been posted on a website by simply selecting a posted position on the website.

Taylor teaches an employment recruitment website whereby users searching for work can select a position on the website and *apply* for the position by submitting their resume. Upon a review process, the user *may* be selected for the position. Taylor lacks any teaching of listing *absent* worker positions on a website as well as the ability for *substitute* workers to *secure* absent worker positions that have been posted on a website by *simply selecting a posted position on the website*.

Additionally, neither SubfinderTM nor Taylor teaches or suggests the intricate relationship of the database system recited in claims 1 and 5 used to fulfill an absent worker position.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Drawings

8. The application having been allowed, formal drawings are required in response to this Office Action.



Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Sunoo, Brenda. "Thumbs up for staffing Web sites," *Workforce* v76n10 pp: 67-72, October 1997 [Dialog], discusses staffing agencies' websites; and
- Edgar et al. (JP 10003492 A) discusses a worker scheduling system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Colon whose telephone number is 703-605-4251. The examiner can normally be reached Monday – Thursday from 8:30am to 5:30pm and every other Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 703-305-9643.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

or faxed to:

703-305-7687 [Official Communications; including After Final
communications labeled "Box AF"]



Art Unit: 3623

703-746-7202 [For status inquiries, draft communication, labeled
"Proposed" or "Draft"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive,
Arlington, VA 7th floor receptionist.

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cmc

August 11, 2003

Susanna Diaz
Susanna Diaz
Primary Examiner
A-U. 3623

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